

## **REMARKS**

In summary, claims 1, 3, 5-9, 19, 21, and 23-27 are pending. All previous rejections are withdrawn in favor of new grounds of rejection. Claims 1, 3, 5-9, 19, 21, and 23-27 are presently rejected under 35 U.S.C. § 103(a). Amendments are proposed herein for independent claims 1, 19, and 25 without adding new matter. Reconsideration of the application in view of the foregoing proposed amendments and following remarks is respectfully requested.

### **Claim Amendments**

It is respectfully submitted that the claim amendments are not necessary to overcome the cited art. Rather, in order to move prosecution forward, amendments are made to help put an end to what Applicants believe to be misinterpretation of the claims. To assist the Examiner in reviewing support in the Application for claim amendments, the Examiner is referred to, for example, FIG. 2 (primary table 200, primary keys 201, 301, node tables 240, 280, node identifier 241) of Published Application No. 2005/0091188.

### **Rejection of Claims 1, 3, 5-9, 19, 21 and 23-27 under 35 U.S.C. § 103(a)**

Claims 1, 3, 5-9, 19, 21, and 23-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,584,459, issued to Chang *et al.* (hereinafter referred to as “Chang”) in view of a publication entitled “Storing and Querying Ordered XML Using a Relational Database System,” by Tatarinov *et al.* (hereafter referred to as “Tatarinov”). (Office Action, pp. 2-9). Applicants respectfully traverse the rejection.

It is respectfully submitted that Chang and Tatarinov, whether considered separately or in combination, fail to teach or suggest, at least:

creating a primary table structure to hold XML data as a binary large object in an XML column, wherein each row in the primary table comprises a primary key;

creating a primary XML index relating to the primary table structure, where the primary XML index includes a node table;

populating the primary table and the primary XML index, wherein the primary XML index is populated by shredding XML values stored as the binary large object in the XML column of the primary table, and wherein the XML index preserves document order and structure by duplicating a respective primary key from the primary table and combining it with an XML node identifier for each entry in each node table;

Independent claims 1 and 19, as amended; see also claim 24, as amended.

First, both Chang and Tatarinov fail to teach or suggest storing XML data as a BLOB in a primary table. Nowhere in Tatarinov is CLOB or BLOB mentioned. Chang discloses only storing a CLOB or an external file. See, e.g., Chang, Abstract (“The extender provides a new abstract data type and includes a plurality of user defined functions for storing, querying, and retrieving structured documents internally, as character-based large objects (CLOB), or externally, in flat files or URLs, for example.”).

As previously pointed out, CLOBs are a different data type compared to BLOBs. Chang relies on an extender that defines a new data type. In comparison, the claimed subject matter recites a primary table structure storing XML data as a BLOB, which is shredded in order to populate the primary XML index.

Tatarinov is cited by the Office Action only for its discussion of shredding. However, the Office Action fails to cite a particular portion of Tatarinov despite the unsupported statement “binary large object as taught by TATARINOV.” A review of Tatarinov plus a digital search of Tatarinov produced no results for “BLOB,” “binary large,” or “CLOB.” Therefore, Chang and Tatarinov fail to teach or suggest the subject matter previously and presently claimed.

Additionally, although deemed unnecessary to overcome the rejection, Applications have added more detail to independent claims 1, 19, and 24 in order to advance prosecution. Specifically, Applicants have amended these, and therefore all pending, claims to include a primary table comprising a primary key for each row and an XML index that preserves document order and structure by duplicating a respective primary key from the primary table and combining it

with an XML node identifier for each entry in each node table. It is respectfully submitted that the individual or combined disclosure of Chang and Tatarinov, fails to teach or suggest these claim limitations.

Accordingly, because Chang and Tatarinov, whether considered separately or together, fail to teach or suggest the claimed subject matter, it is respectfully requested that the rejection of claims 1, 3, 5-9, 19, 21, and 23-27 be reconsidered and withdrawn.

Amendments, made herein or previously made, are without abandonment of subject matter. Applicant expressly reserves the right to, in the pending application or any application related thereto, reintroduce any subject matter removed from the scope of claims by any amendment and introduce any subject matter not present in current or previous claims.

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**PATENT**

### **CONCLUSION**

In view of the foregoing remarks and amendments, it is respectfully submitted that this application is in condition for allowance. Reconsideration of this application and an early Notice of Allowance are respectfully requested.

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